

Q. What if other people complain about the animal's presence?

Explain that it is a service animal and that state and federal law protect the right of a person to be accompanied by a service animal in public places.

Q. Can a person with a disability who is training a service animal bring it onto my premises?

If the service animal-in-training can provide assistance to the individual with a disability, the animal is considered to be a service animal and is covered by state law, even though other training remains in progress.

Q. Can an able-bodied person bring an animal onto my premises as part of its training?

You can refuse entry to someone who wants to train an animal on your premises. You can choose to allow entry to these animals, but you do not have a legal obligation to do so.

Q. A lot of customers have started bringing their dogs into my shop by calling them service animals. These people don't look disabled – is there anything I can do to check their status?

If you are not certain that an animal is a service animal, you may ask the person who has the animal if it is a service animal required because of a disability. A business cannot require a

person with a disability to show proof of a disability or certification of the service animal's status. Current law asks proprietors to assume the sincerity of their customers. You do retain the right to exclude an animal that poses a health or safety threat.

Many people's disabilities are invisible to an observer. Some animals have been trained to warn their owner of a seizure. Others have been trained to lessen their owners' anxieties so they can go out in public.

Q. Are there laws that prohibit people from fraudulently claiming that they are disabled or need a service animal?

Yes. RCW 70.84.060 makes it unlawful for an able-bodied person to represent an animal as a service animal in order to receive an accommodation.

For more information, contact:

Seattle Office for Civil Rights
206-684-4543 or TTY 206-684-4503

King County Office of Civil Rights
206-296-7596 or TTY 296-4329

Delta Society National Service Dog Center,
www.deltasociety.org, 800-869-6898

Information will be provided in alternate formats to people with disabilities upon request

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Animals Working

A Guide to Service Animals in Public Places



City of Seattle Greg Nickels, Mayor

Seattle Office for Civil Rights

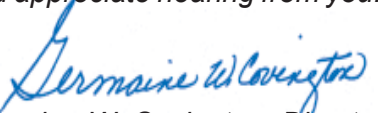
(206) 684-4500

TTY (206) 684-4503

www.seattle.gov/civilrights



The City of Seattle Office for Civil Rights has put together this brochure to answer the most common questions about service animals for people with disabilities. If you have questions that aren't addressed here, we'd appreciate hearing from you.


Germaine W. Covington, Director

Federal, state and local laws* require that premises normally open to the public must provide equal access to people with disabilities who use trained service animals. This includes businesses, agencies, government offices, health clinics, etc. Public places must allow trained service animals to accompany people with disabilities onto the premises. This brochure addresses commonly asked questions about the rights and responsibilities of both business owners and of people who use service animals.

Q. What is a disability?

Federal law defines disability as a sensory, mental, or physical impairment that substantially limits one or more major life activities (e.g. walking, seeing, working, learning, etc.).

The State of Washington defines disability more broadly as a sensory, mental or physical condition that is medically recognizable or diagnosable, including short-term disabilities.

Q. What is a service animal?

The Americans with Disabilities Act (ADA) defines a service animal as “any animal that is individually trained to do work or perform tasks for the benefit of a person with a disability.” Under the law, a service animal is not considered a pet. The most common service animals are dogs, but other species (for example, cats or birds) also can be service animals.

Q. What does a service animal do?

Service animals can perform many types of tasks for someone with a disability. Guide dogs are used by people with visual impairments. Other service animals are trained to alert a deaf person to sounds, to alert an individual with seizure disorder to an oncoming seizure, to carry and pick up things for someone who uses a wheelchair, or to help with balance.

Q. How can I tell if an animal is really a service animal and not just a pet?

There are no legal requirements for service animals to be specifically identified. Some (but not all) service animals wear special collars and harness. Some (but not all) are licensed or “certified” and/or have identification papers. If you are not certain that an animal is a service animal, you may ask the person who has the animal if it is a service animal required because of a disability. A business cannot require a person with a disability to show proof of a disability or certification of the service animal’s status.

Q. Can a business restrict the areas where a service animal can go?

Generally, no. A service animal must be allowed to accompany a person with a disability everywhere that members of the public are normally allowed to go, unless the animal’s presence or behavior creates a basic change to your business operation or direct threat to safety. An individual with a service animal may not be segregated from others.

Q. What about “no-pets” policies?

Legally, a service animal is not a pet. A “no pets” policy may continue in effect, but you must make an exception to your general rule for service animals.

Q. I’ve heard that I am only required to admit guide dogs to my restaurant, because of health regulations. Is that true?

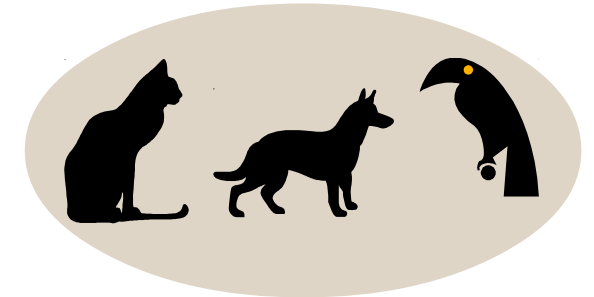
No. The ADA provides greater protection for individuals with disabilities and so it takes priority over local or state laws or regulations. Healthy, vaccinated, well-trained service animals are not a threat to public health.

Q. Am I responsible for a service animal while the person with a disability is in my business?

No. The care or supervision of a service animal is solely the responsibility of his or her owner. You are not required to provide care or food for the animal.

Q. What if a service animal barks or growls at other people, or otherwise threatens people or other animals?

You may exclude a service animal from your premises when that animal’s behavior poses a direct threat to the health or safety of others. However, you cannot make assumptions about how a



particular animal will behave based on your past experience with other animals. Each situation must be considered individually.

Q. Can I exclude a service animal that doesn't really seem to be dangerous but is disruptive?

You do not have to accommodate a service animal when doing so would result in a fundamental alteration to the nature of the business. For example, when a dog initiates unsolicited contact with people other than its owner (jumping on people, sniffing them, trying to be petted, etc.), the animal can be excluded. Any exclusion must be for reasons that are demonstrable, not speculative.

* The Americans with Disabilities Act (ADA), Washington’s State Law Against Discrimination RCW 49.60, and Seattle Municipal Code 14.08